

REMARKSRejections under 35 U.S.C. §112, second paragraph,

The Examiner has rejected Claims 9, 35 and 42 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The Examiner states that there is insufficient antecedent basis for this limitation in the claim because Claim 9 recites the limitations “the same sub-category” and “the substituting D-enantiomeric residue” and “the substituted D-enantiomeric residue”. The Examiner also states that “it is not clear to which the D-enantiomeric residue the term “the substituting D-enantiomeric residue” and the term “the substituted D-enantiomeric residue” are referring”.

In order to expedite prosecution of the remaining claims, Claim 9 has been canceled, making the Examiner’s rejection of Claim 9 is mute.

The Examiner has also rejected Claims 35 and 45 under 35 U.S.C. §112, second paragraph, because the claims “recite the limitation “the form””. Applicants believe that the Examiner intended to refer to claims 35 and 42 and have responded as such. The Examiner states that there is insufficient antecedent basis for the limitation “the form”. Applicants have amended Claim 35. Claim 42 has been re-written in independent form and Applicants believe that this amendment obviates the objection of Claim 42. Applicants believe that there is proper antecedent basis for Claims 35 and 42 and that the Examiner’s rejection has been overcome.

Rejections based on obviousness-type double patenting

Claims 1, 3-9, 12-16, 34, 35, 37, and 57 stand rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-58 of U.S. Patent No. 6,004,925 in view of Garber et al (Arteriosclerosis & Thombosis. Vol 12(8) (1992) pages 886-94.

Without acquiescing with the propriety of the rejection and in order to expedite prosecution of the present application, Applicants respectfully request that the rejection be withdrawn in view of the Terminal Disclaimer and fee filed herewith.

USSN: 10/099,836

- 9 -

PC20700H

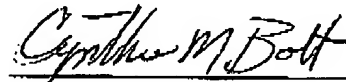
Claims 1, 3-9, 12-17, 29, 34,35,37,42, and 57 stand rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-48 of U.S. Patent No. 6,753,313 in view of Garber et al (Arteriosclerosis & Thombosis. Vol 12(8) (1992) pages 886-94.

Without acquiescing with the propriety of the rejection and in order to expedite prosecution of the present application, Applicants respectfully request that the rejection be withdrawn in view of the Terminal Disclaimer and fee filed herewith.

It is respectfully submitted that the claims have been put in condition for allowance. Notification to this affect is earnestly solicited. The Examiner is encouraged to contact the Applicants' undersigned attorney to discuss this matter if any questions should arise upon further examination of the pending claims.

Respectfully submitted,

Date: July 27, 2006



Cynthia M. Bott 46,568
2800 Plymouth Road
Ann Arbor, MI 48105
Tel. (734) 622-4476
Fax (734) 622-1553